

**TOWN OF ELSMERE**  
**SPECIAL COUNCIL AND PENSION COMMITTEE MEETING MINUTES**  
**July 26, 2011**  
**COUNCIL CHAMBERS**  
**6:30 p.m.**

**CALL TO ORDER:** Mayor Deborah A. Norkavage called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

MAYOR	DEBORAH A. NORKAVAGE	PRESENT
1 <sup>ST</sup> DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 <sup>ND</sup> DISTRICT	STEVEN BURG	PRESENT
3 <sup>RD</sup> DISTRICT	ROBERT KACPERSKI	PRESENT
4 <sup>TH</sup> DISTRICT	CHARLES MCKEWEN	PRESENT
5 <sup>TH</sup> DISTRICT	JOANN I. PERSONTI	PRESENT
6 <sup>TH</sup> DISTRICT	EDWARD OLGA	PRESENT

Town Solicitor, Edward McNally – Present

Town Manager, John Giles – Present

Chief of Police, Laura Giles - Present

Pension Committee Chairman, Pat Frantz – Present

Pension Committee Member, Officer Davis – Present

Pension Committee Member, Sergeant Shelton – Present

Pension Committee Member, John Jankowski – Present

Pension Committee Member, Robert Nally - Absent

**PUBLIC COMMENT:** None

**APPROVAL OF MINUTES:** None

**OLD BUSINESS:**

Consideration of Resolution 11-05

**ACTION:** A motion was made by Councilman Jaremchuk to approve Resolution 11-05. The motion was seconded by Councilwoman Personti.

**VOTE:**            7-0        All-in-Favor            Motion carried

Consideration of Resolution 11-06

**ACTION:** A motion was made by Councilman Jaremchuk to approve Resolution 11-06. The motion was seconded by Mayor Norkavage.

**VOTE:**            7-0            All-in-Favor            Motion carried

Consideration of entering into a Consulting Service Agreement with Pillar Benefits Group

**ACTION:** A motion was made by Councilman Jaremchuk to approve the Consulting Service Agreement. The motion was seconded by Councilman Burg.

**VOTE:** 7-0 All-in-Favor Motion carried

Consideration of an Investment Policy Statement for the Elsmere Police Secondary Pension Plan and the Town of Elsmere Employee Retirement Plan

**ACTION:** A motion was made by Councilman Jaremchuk to approve the Investment Policy Statement. The motion was seconded by Councilman Burg.

**VOTE:** 7-0 All-in-Favor Motion carried

Consideration of assigning Authorization Levels to the Town's M & T Bank Accounts

Finance Director, Joseph Schulcz stated that the Town must sign a new Master Treasury statement with M & T Bank because of the switch from Wilmington Trust.

Town Manager John Giles stated that we need a copy of a signed set of minutes where the Mayor and Council assigned who is Authorized to the accounts.

**ACTION:** A motion was made by Councilman Jaremchuk to assign the Mayor as the Authorized person on the Town's M & T Bank Accounts. The motion was seconded by Councilwoman Personti.

**VOTE:** 7-0 All-in-Favor Motion carried

Finance Director, Joseph Schulcz stated that the Certificate of Treasury Management Solutions states that she would be the primary and that the other signatures would be the President Pro-Temp and the Treasurer as well as other designations for internal for who can assign rights under the agreements.

**ACTION:** A motion was made by Councilman Jaremchuk to assign staff to accomplish the tasks of assigning rights. The motion was seconded by Councilman Burg.

**VOTE:** 7-0 All-in-Favor Motion carried

Town Manager John Giles stated that he has received an email from the State Pension Plan needs an Authorized Signer for enrollments and changes on behalf at the Town. At the time of the request he Authorized the Chief of Police for that with the Town Manager as the backup.

Mayor Norkavage asked for confirmation that this is not a problem for either of them.

Town Manager John Giles stated that there is no conflict because neither participate in this plan and have no authority to change their own benefits.

At this time the meeting was handed over to the Pension Committee for any required actions.

Town Manager John Giles addresses Chairwoman Pat Frantz stating that the Town has moved the active participants in the Town's Police Pension Plan to the State of Delaware Pension Plan. He stated that the Committee must accept the Officer's Withdraw Form and authorize their distribution forms.

**ACTION:** A motion was made by Committee Member Jankowski to accept the voluntary withdraw from the existing Pension Plan. The motion was seconded by Chairwoman Frantz.

**VOTE:** 6-0 with 1 Absent All-in-Favor Motion carried

Consideration of a Distribution to the active officers of their funds in the matter which they have elected.

At this time Chairwoman Frantz read the list of Officers who will be receiving distributions.

**ACTION:** A motion was made by Committee Member Jankowski Authorize the distribution as read. The motion was seconded by Chairwoman Frantz.

**VOTE:** 6-0 with 1 Absent All-in-Favor Motion carried

The Pension committee hereby acknowledges that with the withdraw of these participants there are no longer any active participants in the Elsmere Bureau of Police Pension Plan only active pensioners and that participation in the current pension plan is no longer possible.

Councilman Jaremchuk stated that he was contacted by a retired police officer and believes that the current officers should be eliminated from the Pension Committee.

Town Manager John Giles stated that he believes the positions should remain on the Committee however maybe they need to be filled by an officer hired after July 1, 2011 and a Retired Pensioner so that their opinions on the plans can be heard. He also stated that he believed that needed to be done by ordinance or resolution.

At this time the meeting was again controlled by the Mayor and Council.

**NEW BUSINESS:**

**DEPARTMENTAL REPORTS:** None

**PUBLIC COMMENT:** None

**ADJOURNMENT:**

**ACTION:** A motion was made by Councilman Jaremchuk to Adjourn to Executive Session for Personnel matters and not to return to the public. The motion was seconded by Councilman Burg.

**VOTE:**            7-0      All-in-Favor            Motion carried

These minutes summarize agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tapes may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

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**DEBORAH A. NORKAVAGE**  
**MAYOR**

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**JOANN I. PERSONTI**  
**SECRETARY**